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SUBJECT: RUSSIA SYMPATHIZES WITH PROPOSED MORATORIUM ON
PROSECUTION OF SUDANESE PRESIDENT

¶1. The Russian government has criticized the ICC's issuance of an arrest warrant for Sudanese President Bashir, which the GOR contends could negatively impact the chances for reaching a peaceful settlement to the conflict in Darfur. According to a MFA statement, Russia "understands" the position of the African Union, Arab League, Organization of the Islamic Conference, and the Non-Aligned Movement, which have called for the UNSC to suspend prosecution of the Sudanese President for one year under Article 16 of the Rome Statute. The GOR has not indicated whether this means it will actually support a potential UNSCR to defer prosecution. Russia also called upon the Sudanese leadership to continue the search for a negotiated solution to the problem of Darfur, in collaboration with the UN, African Union and other mediators.

¶2. Mikhail Margelov, the Russian President's recently appointed Special Representative for Sudan and Chairman of the Federation Council's International Affairs Committee, criticized the ICC for selectively issuing an arrest warrant for Bashir. Margelov told Interfax that the ICC action threatened dire consequences for Sudan and the prosecution should be deferred. Stating that all those guilty of crimes in Sudan should be held accountable, regardless of their position, Margelov declared that by charging only Bashir with crimes against humanity, the ICC had created skepticism of its impartiality. In a commentary written for the daily newspaper Kommersant, Margelov criticized the ICC for intending to arrest the "leader of only one belligerent party" when the rebels fighting the Sudanese government were guilty of robbery, rape, torture and abduction. Instead of pursuing Bashir's arrest and prosecution, Margelov called upon the international community to support the agreement signed February 18 by the Sudanese government and the rebel group the Movement for Justice and Equality, which offered a step toward a comprehensive peace settlement.

¶3. Interfax reported that a source within the MFA warned that the ICC arrest warrant "could destabilize" the situation in Sudan. Speaking with Echo Moskvyy radio via telephone from Khartoum, a representative of the Russian Embassy said the ICC decision was a "mistake." He stressed that Russian citizens living in Sudan should not fear for their safety in the event of public protests against the ICC decision because Russia enjoyed "good relations" with the country.
BEYRLE